

James Roberti, Chair
Kathleen Woodward, Vice Chair
Patricia Mallett, Secretary
Thomas Taylor
Marc Charney
Sheila Olson, Associate Member



Town Hall, 525 Washington Street
Wellesley, MA 02482
Tel. (781) 431-1019 ext. 2234

Donald S. McCauley
Planning Director

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**PROJECT OF SIGNIFICANT IMPACT
SPECIAL PERMIT**

Application: PSI-22-02 - Project of Significant Impact Special Permit Application for Conversion of Office Space to Lab Space & Renovation of Existing Office Space at Wellesley Gateway
Subject Property: 93 Worcester Street (PID 7-69)
Applicant: Beacon Capital Partners
Property Owner: Wellesley Gateway Office Complex LLC
Date: Special Permit revised July 13, 2022

OVERVIEW

The subject application is a Project of Significant Impact (“PSI”) Special Permit application for the conversion of 40,000 sq. ft. of floor area from office space to lab space to support a Life Science program and the renovation of 35,000 sq. ft. of office space at Wellesley Gateway.

The property is located within an Administrative/Professional District.

A PSI special permit is required for any construction project (except for one-family or two-family dwellings) having an aggregate total of 1) newly constructed floor area of 10,000 or more square feet, or 2) renovated, altered and/or replacement floor area of 15,000 or more square feet in a building having 15,000 or more square feet of ground coverage to provide for a use which is different from the existing use.” Standard 2 is applicable to the project.

APPLICATION SUBMITTAL DOCUMENTS AND PLANS

The PSI application was submitted on March 16, 2022, in accordance with the Rules Relative to the Issuance of Special Permits (adopted by the Planning Board on September 18, 1990 and revised March 10, 2008). Revised documents were also submitted in response to comments from the Town’s reviewers and the Board. The documents submitted by the Applicant are set out in Attachment 1.

TOWN REVIEW COMMENTS, REPORTS, AND RECOMMENDATIONS

In accordance with Zoning Bylaw 16A PROJECT APPROVAL the PSI application was referred to the Town's Department of Public Works, Fire Department, Municipal Light Plant, and Select Board. The Planning Board received reviews, reports and recommendations from Town Departments set forth in Attachment 2.

PUBLIC HEARING

Notice of the Public Hearing was published in the Wellesley Townsman on April 14, 2022, and April 21, 2022. The Planning Board opened the hearing on May 2, 2022. The hearing was duly continued to June 6, 2022, June 27, 2022 and to July 11, 2022.

All members of the Board were present at the May 2, 2022, June 27, 2022 and July 11, 2022 session of the hearing. Board member Patricia Mallett was not present for the June 6, 2022 session of the public hearing.

After comments were concluded on July 11 2022, Board Member Tom Taylor made a motion to close the Public Hearing and grant the PSI Special Permit based on the Application Submittal Documents and Plans; Town Review Comments, Reports, and Recommendations; Findings; and Conditions. Board Member Kathleen Woodward seconded the Motion. The Board voted yea to approve the motion.

The hearings were held as remote meetings using a Zoom Webinar platform. All sessions of the public hearing were recorded by Wellesley Media and are available at www.wellesleymedia.org.

PSI REQUIREMENTS

Section 16A, *Project Approval*, of the Zoning Bylaw, requires the Applicant to “submit...a Municipal Systems Impact Analysis (MSIA), prepared by professional engineers registered in the Commonwealth of Massachusetts, and identifying the impact of the Construction Project on water, sewer, storm drainage, electric, traffic, intersections, sidewalks and footways, building occupant life safety, refuse disposal and recycling.” The intent of the analysis by the Applicant, Review Departments, and the Planning Board being to “determine the impact on the Town's existing capital infrastructure in order to assess costs of providing or upgrading Town public facilities which will benefit a PSI.”

FINDINGS

Based on the aforementioned *Application Submittal Documents and Plans* and the *Town Review Comments, Reports, and Recommendations*, along with the consideration of information received, the Wellesley Planning Board has made the following findings:

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1. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to WATER service, as specified in Section 16A.C.3.e;
2. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to SEWER service, as specified in Section 16A.C.3.e;
3. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to STORM DRAINAGE service, as specified in Section 16A.C.3.e;
4. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to ELECTRIC service, as specified in Section 16A.C.3.e;
5. With compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to TRAFFIC, PEDESTRIAN AND BICYCLE SAFETY, as specified in Section 16A.C.3.e;
6. Upon the receipt of additional investigations and completion of any associated work as described in Condition 2 and otherwise in compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to FIRE PROTECTION AND LIFE SAFETY service, as specified in Section 16A.C.3.e; and
7. Upon receipt of additional investigations and completion of any associated work as described in Condition 10 and otherwise in compliance with the conditions provided in this decision to ensure development in a manner consistent with the submitted plans and materials, the project meets the minimum service standard with respect to the REFUSE DISPOSAL SYSTEM, as specified in Section 16A.C.3.e.

CONDITIONS

This decision is made based on the Applicant, the Project, their successors and assigns complying with the following conditions:

1. The owner/developer shall construct all improvements in substantial accordance with the plans and materials set forth in Attachment 1.
2. The project shall be subject to the limitation that any laboratory space ultimately built out and occupied be limited to a Biosafety Level 1 or 2. The project shall not be occupied or used for laboratory space classified as Biosafety Level 3 or 4.

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3. Any modifications to the Project shall be presented to the Planning Board for review. The Planning Board shall be charged with determining whether the proposed modification represents intensification of use in which case it shall be treated as a Material Change necessitating further Planning Board review. If such changes are determined to be Material Changes by the Planning Board, the owner/developer shall prepare and submit to the Planning Board a report or reports, prepared by engineers who meet the requirements of the Zoning Bylaw for preparation of Municipal Service Impact Analysis, showing whether the minimum service standards continue to be met. If any such report shows that one or more of the service standards are not met, based on additional impact generated by the Project owing to the material change or intensification of use, or if any required negotiated improvements or conditions cannot be completed, the owner/developer shall meet with the Planning Board to negotiate reasonable additional or alternative mitigation measures. This requirement shall not be interpreted as waiving any provision of the Project of Significant Impact process.
4. Prior to the issuance of a building permit by the Building Department, the Department of Public Works shall confirm their approval of all planned work associated with the municipal water system, sewer system, storm drainage system, and refuse disposal system, both on and off-site. Prior to the issuance of a Certificate of Occupancy for the Project, the Applicant shall submit to the Department of Public Works as-built plans for all stormwater infiltration systems and all applicable utilities and systems installed, and the Department of Public Works shall confirm that all work has been completed to the Department's satisfaction.
5. All work regarding the municipal electric system, both on and off-site, shall be completed to the satisfaction of the Municipal Light Plant prior to the issuance of a Certificate of Occupancy for the Project.
6. When and if applicable, provide a copy of any MassDOT permit application, Traffic Management Plan and/or approval letters for any work within the State Highway Layout on Route 9.
7. When and if applicable, provide a copy of the permit required from the MWRA for the pH neutralization system.
8. Applicant agrees to work cooperatively with the Town through its Planning Staff to voluntarily seek to conform with any subsequently-adopted Zoning Bylaw concerning life science related uses so long as no such future regulation prohibits or unreasonably delays the ability to occupy and operate a commercial BSL1 OR BSL2 wet or dry lab as allowed by right under current zoning.
9. No laboratory tenant may occupy space within the Project without first signing and submitting to the Planning Staff an affidavit that confirms their obligation to comply with the regulations governing BSL1 and BSL2 laboratories in Massachusetts including 780 CMR Massachusetts State Building Code, 527 CMR Massachusetts Comprehensive Fire

Safety Code, M.G.L. Chapter 148 (if applicable), 301 CMR 41, 105 CMR 48, 310 CMR 19, 310 CMR 7, 360 CMR 10, applicable OSHA standards, and 105 CMR 180 (if applicable).

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10. All biowaste created and stored at the Project as ultimately built out and occupied by laboratory tenants shall be stored and disposed of pursuant to state Department of Public Health, Department of Environmental Protection, and Department of Transportation regulations set forth in 301 CMR 41, 105 CMR 48, and 310 CMR 19, and shall include the preparation of a manifest of all biowaste stored on site and ultimately delivered offsite to a licensed biowaste hauler.

11. Engineering, Fire Department, and the Planning Staff shall review all tenant improvements to ensure regulatory compliance prior to issuance to tenant of any building permits, or prior to tenant beginning operations in the converted biolab space, as applicable.

12. Prior to the issuance of a Certificate of Occupancy for the Project, the Planning Director shall be responsible for determining the compliance of the project, and any plans therefor, with the PSI special permit and these conditions. During the course of construction, the Planning Director shall have access to the project site with reasonable notice to the owner/developer.

13. The Applicant will pay for any fees incurred by the Town and the Fire Department as a result of the consultant, Mechanical Designs Limited's review of this PSI application and permit.

14. This PSI Special Permit shall be binding on the Applicant, its successors and assigns, and shall be recorded with the Norfolk County Registry of Deeds and shall run with the land.

ADDITIONAL PROVISIONS

The Planning Board retains the right to submit to the Zoning Board of Appeals or other applicable boards or commissions any comments deemed appropriate by the Planning Board in connection with Site Plan Approval under Section 16A PROJECT APPROVAL of the Town's Zoning Bylaw or any other permits or approvals required in connection with the Project.

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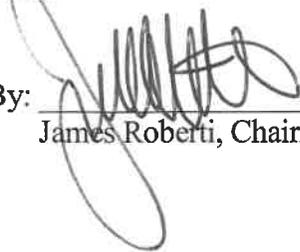
Appeals from this decision, if any, shall be made pursuant to general laws, Chapter 40A, Section 17, M.G.L. and shall be filed within 20 days after the date of the filing of this decision in the office of the Town Clerk, subject to any extensions or stays of such filing or appeal periods including any extensions or stays set forth in applicable legislation, executive orders, or rules or orders of the Supreme Judicial Court pertaining to COVID - 19.

This special permit shall be recorded at the registry of deeds in accordance with the provision of Chapter 40A, Section 11, M.G.L.

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WELLESLEY PLANNING BOARD

By: 
James Roberti, Chairman

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with the Town of Wellesley Zoning Bylaw, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

ATTACHMENT 1

SUBMITTALS AND PLANS

1. PSI Application Form, dated 1/27/2022
2. Project Scope (unknown author and undated)
3. Building Elevations (unknown author and undated)
 - a. Existing Facade Photograph
 - b. Proposed Facade Rendering
4. Demolition and Proposed Elevation Plans prepared by Jacobs:
 - a. AD4.01.00 Overall Demolition West Elevation dated 12.20.2021
 - b. AD4.02.00 Overall Demolition South Elevation dated 12.20.2021
 - c. AD4.03.00 Overall Demolition East Elevation dated 12.20.2021
 - d. A4.01.00 Overall Building West Elevation dated 12.20.2021
 - e. A4.02.00 Overall South Elevation dated 12.20.2021
 - f. A4.03.00 Overall East Elevation dated 12.20.2021
 - g. C1.00 Site Development Plan dated 03.04.2022
 - h. A5.00.02 Building Sections (for Reference Only) (undated)
 - i. H5.0 Roof – Duct & Piping Plan (undated)
5. Municipal System Impact Analysis (MSIA) memorandum regarding Water, Sewer and Storm Drainage prepared by Nitsch Engineering dated March 1, 2022
6. Traffic Impact Assessment, prepared by Vanesse & Associates, Inc. dated March 30, 2022
7. Municipal System Impact Analysis (MSIA) memorandum regarding Electric, Building Occupant Life Safety, Refuse Disposal and Recycling prepared by the Richmond Group, Inc. dated March 31, 2022
8. Response to Review of Traffic Impact Assessment by Vanesse & Associates Inc. dated June 1, 2022
9. Memorandum dated June 9, 2022 from Nitsch Engineering regarding Department of Public Works Engineering Division memorandum dated April 13, 2022
10. Memorandum dated June 14, 2022 from The Richmond Group/Beacon Capital regarding Department of Public Works Engineering Division memorandum dated April 13, 2022
11. Memorandum with exhibits dated June 17, 2022 from Jennifer Schultz, Esq., Sullivan & Worcester LLP to Town of Wellesley Planning Board, Planning Staff and Board of Health regarding compliance with Project of Significant Impact (PSI) criteria

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12. Memorandum dated June 22, 2022 from The Richmond Group regarding electrical conversion utility requirements
13. Memorandum dated June 27, 2022 from The Richmond Group regarding electric conversion utility requirements with detailed calculations and electrical capacity assumptions

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ATTACHMENT 2

REPORTS FROM TOWN OF WELLESLEY DEPARTMENTS AND CONSULTANTS

1. Letter dated March 30, 2022, from Stephen Mortarelli, Deputy Chief, Fire Rescue Department, Office of Fire Prevention, to Don McCauley and the Planning Board
2. Memorandum dated April 13, 2022, from George Saraceno, Senior Civil Engineer, Department of Public Works, to Don McCauley, Planning Director
3. Memorandum dated May 9, 2022 from Jane R. Davis P.E., Environmental Partners to Meghan Jop, Executive Director
4. Memorandum dated May 13, 2022 from Thomas Ulfelder, Chair of the Select Board to James Roberti, Chair of the Planning Board
5. Memorandum dated June 24, 2022 from George Saraceno, Assistant Town Engineer, Department of Public Works, to Don McCauley, Planning Director
6. General Overview of Flammable Storage Permitting Process from Wellesley Fire Rescue Department (Sent via email from Stephen Mortarelli, Deputy Chief, Fire Rescue Department, Office of Fire Prevention, to Don McCauley and Eric Arbeene)
7. Email dated July 8, 2022 from Don Newell, Director of Wellesley Municipal Light Plant to Eric Arbeene, Senior Planner

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